



AF
IFW

Docket No.: C041473/0124196

**REPLY UNDER
37 CFR § 1.116**

EXPEDITED PROCEDURE

TECHNOLOGY CENTER 1700

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Ross A. Caputo *et al.*) Examiner: Monzer R. Chorbaji
Serial No.: 09/901,389) Art Unit: 1744
Filed: July 9, 2001)
For: **APPARATUS FOR TESTING**)
STERILIZATION METHODS AND)
MATERIALS)

January 12, 2006

RESPONSE TO OFFICE ACTION UNDER 37 CFR § 1.116
INCLUDING AMENDMENT

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the Final Office Action mailed October 19, 2005, which set a three-month shortened statutory period for response. Accordingly, this response is filed timely upon mailing, with an executed certificate of mailing, on or

before January 19, 2006. 37 CFR § 1.8. No fee is believed to be due. If it is determined that a fee is due, please charge such fee to Deposit Account No. 02-4467.

A duplicate copy of this page 2 is enclosed.

Because the Office Action made the rejection of the pending claim final, consideration of this response pursuant to the expedited procedure for response after final rejection set forth in MPEP § 714.13 (8th Ed., Rev. 3, Aug. 2005, pp. 700-239 to 700-240) respectfully is solicited.

Please amend the application as follows:

AMENDMENTS TO THE SPECIFICATION: None.

AMENDMENTS TO THE CLAIMS are reflected in the listing of claims, which begins on page 3 of this paper.

REMARKS begin on page 20 of this paper.